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Atty. Dkt. No. 023312-0126

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masaharu NAKAMURA et al.
Title: PROCESS FOR PRODUCTION OF AROMATIC COMPOUNDS
Appl. No.: 10/588,552
International Filing Date: 02/10/2005
371(c) Date: 08/07/06
Examiner: Peter G. O'Sullivan
Art Unit: 1621
Confirmation Number: 8263

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the election of species requirement set forth in the Office Action dated February 3, 2010. Since this Response is being filed within thirty days of the action, no fee is due.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

On page 2 of the communication, the PTO states that Applicant must elect a single species to abet prosecution. Responsive to this requirement, Applicant elects the species in which **RX** is reacted with **A-Mg-Y¹** for prosecution.

Pursuant to the above qualifications, Applicant has elected compound 21 (page 40, Table 3), as the aromatic compound species made using the inventive method. The elected species is made by reacting bromocyclohexane (recited element (2)), with 4-trifluorophenylmagnesium bromide (recited element (3a) of claim 1). Claims 1-6 read on the elected species.

Applicant's understand that the species election is a mere administrative formality to abet the examiner's search, and as such additional species will be considered once the elected species is found to be allowable to analyze the patentability of the claimed genus.

Applicant also reserve their right to pursue the subject matter of any non-allowed claims in divisional applications.

Respectfully submitted,

Date 2/19/2010

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By 

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, then the Commissioner is authorized to charge the unpaid amount to the deposit account. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to the above deposit account.